

MONDAY, MARCH 10, 1997

FIFTEENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Janiro Hawkins, Friendship Baptist Church, Nashville, Tennessee.

Representative Langster led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Arriola; business reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 97: Rep(s). Garrett as prime sponsor(s).

House Joint Resolution No. 98: Rep(s). Garrett as prime sponsor(s).

House Joint Resolution No. 99: Rep(s). Garrett as prime sponsor(s).

House Bill No. 537: Rep(s). Turner (Hamilton), Stulce, Langster and Cross as prime sponsor(s).

House Bill No. 924: Rep(s). Givens, Westmoreland, Rinks and McKee as prime sponsor(s).

House Bill No. 1366: Rep(s). Sands as prime sponsor(s).

**MESSAGE FROM THE SENATE
March 10, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 287; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
March 10, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 65, 66, 67, 68, 69, 71, 75, 76, 78, 79, 80, 81 and 82; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
March 10, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 85; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 10, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 81, 82, 86, 89 and 90; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 81 -- Memorials, Professional Achievement - Dr. Paul E. Stanton, Jr. by *Crowe, *Ramsey, *Williams.

Senate Joint Resolution No. 82 -- Memorials, Sports - Walter Hill School girls' basketball team. by *Womack.

Senate Joint Resolution No. 86 -- Naming and Designating - "Descendants Day!" last Sunday in June. by *Henry.

Senate Joint Resolution No. 89 -- Memorials, Death - Kathy Woodall, President of Tennessee Education Association. by *Haynes, *Womack, *Springer, *Henry, *Harper, *Rochelle, *Herron, *Graves, *Davis L, *Crutchfield, *Dixon, *Kyle.

Senate Joint Resolution No. 90 -- Memorials, Death - Dick Battle of Nashville. by *Henry, *Harper, *Kyle.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 12, 1997:

House Joint Resolution No. 100 -- Memorials, Public Service - Kelly Cox, Prudential Spirit of Community Award winner. by *Clabough.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 12, 1997:

Senate Joint Resolution No. 81 -- Memorials, Professional Achievement - Dr. Paul E. Stanton, Jr. by *Crowe, *Ramsey, *Williams.

Senate Joint Resolution No. 82 -- Memorials, Sports - Walter Hill School girls' basketball team. by *Womack.

Senate Joint Resolution No. 89 -- Memorials, Death - Kathy Woodall, President of Tennessee Education Association. by *Haynes, *Womack, *Springer, *Henry, *Harper, *Rochelle, *Herron, *Graves, *Davis L, *Crutchfield, *Dixon, *Kyle.

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Senate Joint Resolution No. 90 -- Memorials, Death - Dick Battle of Nashville. by *Henry, *Harper, *Kyle.

DELAYED BILLS REFERRED
March 10, 1997

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1947 was/were referred to the Delayed Bills Committee.

House Bill No. 1947 -- Planning, Public - Empowers chief legislative body in Lakeland to appoint and remove municipal planning commission members. Amends TCA Section 13-4-101. by *Haley.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 1946** -- Chester County - Subject to local approval, repeals purchasing commission. - Repeals Chapter 277, Private Acts of 1949, as amended. by *Walley.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 306** -- Election Laws - Makes prohibition on attaching campaign materials to utility poles applicable statewide; present law limited to Polk, Monroe, Hawkins and Knox; and Davidson, Moore, Madison, Washington and Sullivan if county legislative body by 2/3 vote makes prohibition applicable in such county. Amends TCA Section 2-19-144. by *Rochelle, *Williams. (HB968)

Senate Bill No. 377 -- Pensions and Retirement Benefits - Allows members of general assembly to continue to receive retirement allowance while in office if such benefit based on service other than as member of general assembly. Amends TCA Section 8-36-808(a). by *Atchley. (*HB167)

***Senate Bill No. 1177** -- Taxes, Ad Valorem - Revises procedures for property tax appeals; authorizes compensation for assessment appeals commission. Amends TCA Section 67-5-1008; Section 67-5-1327; Section 67-5-1328; Section 67-5-1412; Section 67-5-1501 and Section 67-5-1502. by *Rochelle. (HB874)

Senate Bill No. 1260 -- Pensions and Retirement Benefits - Lowers service retirement age for state judges (Group 3); eliminates Group 4 early service retirement. Amends TCA Title 8, Chapter 25; Title 8, Chapters 34; 35 and 36. by *Atchley. (*HB688)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1940 -- Centerville -- Local Bill Held on House Desk

House Bill No. 1941 -- Hardeman County -- Local Bill Held on House Desk

House Bill No. 1942 -- Athens -- Local Bill Held on House Desk

CONSENT CALENDAR

***House Bill No. 252** -- Highway Signs - "Camp Tyson Memorial Highway," U.S. 79, Henry County. by *Ridgeway. (SB200 by *Herron)

On motion, House Bill No. 252 was made to conform with **Senate Bill No. 200**; the Senate Bill was substituted for the House Bill.

House Bill No. 376 -- Highway Signs - "Charles Deadrick 'Pete' Johnson Memorial Bridge," SR 61-62, Oliver Springs. by *Ferguson, *Caldwell, *Windle. (*SB257 by *Davis L, *McNally)

On motion, House Bill No. 376 was made to conform with **Senate Bill No. 257**; the Senate Bill was substituted for the House Bill.

House Bill No. 404 -- Highway Signs - "Veterans Memorial Parkway," segment of U.S. 421 in Johnson County. by *Mumpower. (*SB17 by *Crowe)

On motion, House Bill No. 404 was made to conform with **Senate Bill No. 17**; the Senate Bill was substituted for the House Bill.

***House Bill No. 454** -- Highway Signs - "Chattanooga African American Museum," I-124. by *Brown. (SB1491 by *Crutchfield)

On motion, House Bill No. 454 was made to conform with **Senate Bill No. 1491**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1436** -- Elkton - Revises qualifications of city recorder. Amends Chapter 431 of the Acts of 1907; as amended. by *Fowlkes. (SB1733 by *Cooper)

House Bill No. 1864 -- Wilson County - Subject to local approval, establishes special court cost of \$10.00 for traffic regulation. by *Beavers, *Bone. (SB1770 by *Rochelle)

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House Bill No. 1879 -- Cleveland - Subject to local approval, permits nonresidential property owners to vote by mail. Amends Chapter 307 of the Acts of 1903; as amended. by *Bird. (*SB1870 by *Miller J)

House Bill No. 1927 -- Davidson County - Subject to local approval, repeals private acts creating probate court effective September 1, 1998 - Repeals Chapter 124, Private Acts of 1963, as amended. by *Arriola. (SB469 by *Haynes)

House Joint Resolution No. 24 -- Naming and Designating - Smithville Fiddlers' Jamboree and Crafts Festival, official jamboree and crafts festival of Tennessee. by *Buck.

House Joint Resolution No. 88 -- Memorials, Sports - Bartlett High School varsity cheerleaders. by *Hargett, *Pleasant.

House Joint Resolution No. 89 -- Memorials, Personal Occasion - Rufus Thomas, Jr., eightieth birthday. by *DeBerry L.

House Joint Resolution No. 94 -- Memorials, Academic Achievement - 1997 All-Tennessee Academic Team. by *Cole (Dyer).

House Joint Resolution No. 95 -- Memorials, Recognition and Thanks - Sandy Bryer. by *West.

House Joint Resolution No. 96 -- Memorials, Sports - Ryan McSwain, Donelson Christian Academy lineman. by *West.

House Joint Resolution No. 97 -- Memorials, Sports - 1996 Donelson Christian Academy football team, TSSAA Class A state champion. by *West.

House Joint Resolution No. 98 -- Memorials, Sports - Jeremy Lyons, TSSAA Class A "Mr. Football.". by *West.

House Joint Resolution No. 99 -- Memorials, Sports - Donelson Christian Academy cheerleaders. by *West.

House Resolution No. 28 -- Memorials, Professional Achievement - Frank Bluestein, 1996 Performing Arts Teacher of the Year. by *Scroggs, *Kent, *Hargett, *Hassell.

House Resolution No. 33 -- Memorials, Personal Occasion - Alvin Merritt, 60th birthday. by *Goins.

Senate Joint Resolution No. 79 -- Memorials, Professional Achievement - Dr. John Hodge Jones, runner-up, National Superintendent of the Year. by *Womack.

Senate Joint Resolution No. 80 -- Memorials, Death - Durrell Roberts. by *Wilder, *Crutchfield, *McNally, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 87 -- Memorials, Personal Occasion - Mr. and Mrs. Homer Chance, 50th wedding anniversary. by *Haynes.

Senate Joint Resolution No. 91 -- Memorials, Professional Achievement - Smyrna Jaycees, 25th anniversary. by *Womack, *Cooper, *Davis L.

Rep. L. DeBerry moved that all members voting aye on **House Joint Resolution No. 89** be added as prime sponsor, which motion prevailed.

Rep. McAfee moved that all members voting aye on **Senate Joint Resolution No. 80** be added as prime sponsor, which motion prevailed.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 94: by Rep. Cole (Dyer)

Under the rules, House Joint Resolution No: 94 was/were placed at the foot of the calendar for March 13, 1997.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 98
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wingham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 796 -- Loan Companies - Prohibits title pledge lender to enter into title pledge agreement unless pledgor presents clear title to pledged property. Lender must retain title for duration of loan. Any lien filed without clear title is void. Amends TCA Title 45, Chapter 15, by *Rhinehart. (*SB353 by *Cooper)

Rep. Rhinehart moved that House Bill No 796 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 796 by deleting the printed bill in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 45-15-115, is amended by adding the following as a new subdivision to be appropriately designated:

() Enter into a pledge agreement unless the title pledgor presents clear title to titled personal property at the time that the loan is made and such title is retained in the physical possession of the title pledge lender, except as required to comply with the provisions of Tennessee Code Annotated, Section 45-15-110. If the title pledge lender files a lien against such property without possession of a clear title to such property, the resulting lien shall be void.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **House Bill No. 796**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	98
Noes	0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald,

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McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 175 --** Sunset Laws - Southeast interstate low-level radioactive waste compact, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 202. by *Kernell, *Garrett, *Brooks. (SB76 by *Springer)

Rep. Kernell moved that **House Bill No. 175** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 176 --** Sunset Laws - Board of employee assistance professionals, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 42. by *Kernell, *Garrett, *Brooks. (SB78 by *Springer)

On motion, House Bill No. 176 was made to conform with **Senate Bill No. 78**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 78** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

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Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 177** -- Sunset Laws - Board of medical examiners' council on respiratory care, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 6. by *Kernell, *Garrett, *Brooks. (SB80 by *Springer)

On motion, House Bill No. 177 was made to conform with **Senate Bill No. 80**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 80** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 187** -- Sunset Laws - State soil conservation committee, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 14. by *Kernell, *Garrett, *Brooks. (SB90 by *Springer)

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Rep. Kernell moved that **House Bill No. 187** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 188** -- Sunset Laws - Archaeological advisory council, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 6. by *Kernell, *Garrett, *Brooks. (SB91 by *Springer, *Dixon)

On motion, House Bill No. 188 was made to conform with **Senate Bill No. 91**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 91** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	98
Noes	0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

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***House Bill No. 190** -- Sunset Laws - Terminates medical care advisory committee. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5. by *Kernell, *Garrett, *Brooks. (SB93 by *Springer)

On motion, House Bill No. 190 was made to conform with **Senate Bill No. 93**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 93** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 195** -- Sunset Laws - Board of medical examiners' committee on physician assistants, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 19. by *Kernell, *Garrett, *Brooks. (SB99 by *Springer, *Dixon)

On motion, House Bill No. 195 was made to conform with **Senate Bill No. 99**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 99** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs,

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Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 537 -- Civil Service - Establishes right of reassignment for career service employees who become part of executive service Amends TCA Section 8-30-208. by *Hargrove, *DeBerry L, *Naifeh, *Rinks, *Williams (Williamson), *Kisber, *Pruitt, *Armstrong, *Arriola, *McDonald, *Ridgeway, *Chumney, *Bowers, *Buck, *Brooks, *Jones U (Shelby), *Sharp, *Bone, *White, *Sands, *Fitzhugh, *Maddox, *Robinson, *McMillan. (*SB491 by *Crutchfield)

Further consideration of House Bill No. 537 previously considered on March 6, 1997, and reset to today's Calendar.

Rep. Hargrove moved that House Bill No. 537 be passed on third and final consideration.

Rep. Kerr requested that Amendment No. 1 be moved behind Amendment No. 2.

Rep. Hargrove moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 537 by deleting in its entirety subsection (f)(3) of the amendatory language of Section 1, and by substituting instead the following language:

(3) A person occupying a position in the executive service who is terminated for any reason which would warrant the dismissal of a career service employee shall not have the right of reassignment to a position in the career service.

On motion, Amendment No. 2 was adopted.

Rep. Kerr moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 537 by deleting the current proposed new subsections (f) and (g) in their entirety and substituting instead the following provision

(f) If any employee has served at least five (5) continuous years in the career service immediately before promotion or reassignment to a position in the executive service, such employee shall be granted leave of absence without pay from the career service for the duration of such

appointment. for a period not to exceed five (5) years. Any such person who left such an executive service position in good standing and is not eligible for retirement shall have the option of returning to a career service position of the same class or rank as the last career service position in which the employee held status as a regular employee, the duties of which the person is qualified to perform, if the employee exercises this option within six (6) months following termination from the executive service position. The placement of any appointee in accordance with the provisions of this subsection may not be made to a position which would cause the separation of any other regular career service employee. The provisions of this subsection shall supercede and take precedence over the existing provisions of T.C.A. § 8-30-329.

Rep. Hargrove moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes..... 60
Noes 38

Representatives voting aye were: Armstrong, Bone, Boner, Bowers, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Hargrove, Head, Hood, Jackson, Jones S., Jones U., Kernell, Kisber, Langster, Lewis, Maddox, McDonald, McMillan, Miller, Odom, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Sands, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Burchett, Clabough, Cole (Carter), Davis, Dunn, Ford, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hassell, Hicks, Huskey, Kent, Kerr, McAfee, McDaniel, McKee, Mumpower, Newton, Patton, Pleasant, Roach, Sargent, Scroggs, Sharp, Stamps, Walker, Walley, Westmoreland, Whitson, Wood -- 38.

A motion to reconsider was tabled.

Rep. McDaniel moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 537 by adding before the period at the end of the first sentence in Section 1(f)(2) the following language:

and held the executive service position for not more than five (5) years.

AND FURTHER AMEND by adding before the period at the end of Section 1(g)(1) the following language:

for not more than five (5) years.

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Rep. Hargrove moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	60
Noes	38

Representatives voting aye were: Armstrong, Bone, Boner, Bowers, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Hargrove, Head, Hood, Jackson, Jones S., Jones U., Kernell, Kisber, Langster, Lewis, Maddox, McDonald, McMillan, Miller, Odom, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Sands, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Burchett, Clabough, Cole (Carter), Davis, Dunn, Ford, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hassell, Hicks, Huskey, Kent, Kerr, McAfee, McDaniel, McKee, Mumpower, Newton, Patton, Pleasant, Roach, Sargent, Scroggs, Sharp, Stamps, Walker, Walley, Westmoreland, Whitson, Wood -- 38.

A motion to reconsider was tabled.

Rep. Head moved the previous question, which motion prevailed.

Rep. L. DeBerry moved that **House Bill No. 537**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	64
Noes	33
Present and not voting	1

Representatives voting aye were: Armstrong, Bone, Boner, Bowers, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Haley, Hargrove, Head, Hood, Jackson, Jones S., Jones U., Kernell, Kisber, Langster, Lewis, Maddox, McDonald, McMillan, Miller, Odom, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Sands, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 64.

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Burchett, Clabough, Cole (Carter), Davis, Dunn, Ford, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hassell, Hicks, Huskey, Kent, Kerr, McAfee, McDaniel, McKee, Mumpower, Patton, Pleasant, Roach, Sargent, Scroggs, Stamps, Walker, Walley, Wood -- 33.

Representatives present and not voting were: Newton -- 1.

A motion to reconsider was tabled.

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***House Bill No. 344** -- Surplus Property - Authorizes surplus computer equipment suitable for educational purposes be transferred to local education agencies, without financial consideration. Amends TCA Section 12-2-403. by *Pruitt, *Kerr, *Brooks, *Jones U (Shelby), *Langster, *DeBerry J, *Turner (Shelby), *Bowers, *Brown, *Cooper B, *Armstrong. (SB714 by *Dixon)

Rep. Pruitt moved that House Bill No. 344 be passed on third and final consideration.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 344 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 12-2-403, is amended by adding the following language as a new, appropriately designated subsection:

() (1) For purposes of this subsection "computer equipment" includes: personal computers, printers, CD-ROM readers, monitors, keyboards, CPU's, scanners, and all accessories and other peripheral equipment used in a data processing operation.

(2) The commissioner of general services, in consultation with the information systems council, with the approval of the governor and the commissioner of education, is authorized to transfer surplus computer equipment to local education agencies, without financial consideration, provided such property is suitable for educational purposes for the public schools as determined by the commissioner of education, and provided further that the authorizing officials named in this subsection first determine that the transfer of such personal property ownership is in the best interest of the state.

(3) Prior to the disposition of surplus computer equipment, a determination shall be made as to whether requests have been made by a local education agency for computer equipment. If suitable computer equipment is available which meets the needs of requests on file by local education agencies, such property shall be transferred, without financial consideration, to such local education agencies. If, however, available surplus computer equipment is not suitable for educational purposes or if no requests are on file by local education agencies for equipment which meets the needs of such requests, then the surplus computer equipment shall be disposed of as otherwise provided in this section.

(4) The board of standards shall adopt rules and regulations on the procedure for the disposal of such computer equipment as provided in this subsection and, in consultation with the commissioner of education, on the procedures for a local education agency to apply for and be considered for receiving such property.

(5) The department or agency which declares the computer equipment surplus, may be charged a fee to cover the cost of disposing of such equipment. The amount of the fee shall be determined by the board of standards.

SECTION 2. For purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it.

For all other purposes this act shall take effect July 1, 1997, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Pruitt moved that **House Bill No. 344**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 31** -- Driver Licenses - Prohibits department of safety from rejecting applicant for commercial driver license because applicant's vehicle for skills test fails to pass any required inspections, so long as vehicle is of class applicant expects to operate. Amends TCA Title 55, Chapter 50. by *Buck, *Pinion. (SB772 by *Burks)

Rep. Buck moved that House Bill No. 31 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 31 by deleting the amendatory language of Section 1 and by substituting instead the following:

(3) The department shall not reject the applicant for a commercial driver license if the examiner believes the condition of the vehicle is unsafe for operation, unless the examiner requests an inspection of the vehicle by a qualified commercial vehicle inspector of the department. Such vehicle, and all commercial vehicles inspected by the department, shall be inspected in accordance with the North American Standard Uniform Inspection procedures outlined by the Commercial Vehicle Safety Alliance. A commercial vehicle placed out-of-service for mechanical or safety defects by the qualified inspector shall be placed out-of-service for safety defects as defined in the North American Uniform Out-of-Service Criteria. The applicant shall be given a written report listing all defects by the inspector and informed of necessary repairs to cause the vehicle to be in compliance. The examiner shall not conduct a road test if the commercial vehicle inspector determines that the vehicle does not meet the standards defined in the North American Uniform Out-of-Service Criteria.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved that **House Bill No. 31**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 285** -- Massage - Extends filing date from April 1, 1996 to May 7, 1996 for applicants to qualify for massage therapist licensure. Amends TCA Section 63-18-205. by *Walley. (SB286 by *Wilder)

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Rep. Walley moved that House Bill No. 285 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 285 by adding the following language at the end of the amendatory language of Section 1:

The provisions of this act shall apply only to applicants who are at least seventy-eight (78) years of age as of May 7, 1996.

On motion, Amendment No. 1 was adopted.

Rep. Walley moved that **House Bill No. 285**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes	0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 406** -- Dentists - Adds dental assistant as member of board of dentistry. Amends TCA Section 63-5-102; Section 63-5-103 and Section 63-5-105. by *Walley. (SB817 by *Wilder)

Rep. Walley moved that **House Bill No. 406** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes	0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 924 -- Taxes, Sales - Exempts from sales and use taxes adaptive motor vehicle equipment for disabled veterans. Amends TCA Title 67, Chapter 6. by *Fraley. (*SB369 by *Cooper)

Rep. Fraley moved that **House Bill No. 924** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 459** -- Funeral Directors and Embalmers - Removes exemption of medical officers in armed forces, medical residents, physicians and surgeons from requirements of funeral directors and embalmers. Amends TCA Section 62-5-102. by *Garrett. (SB689 by *Ford J)

Rep. Garrett moved that **House Bill No. 459** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98

Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RECOGNITION IN THE WELL

Rep. Rinks was recognized in the Well to honor and recognize Speaker Pro Tempore Lois DeBerry as a recipient of the 100 Most Influential African Americans National Honoree Award.

RULES SUSPENDED

Rep. Rinks moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 102 out of order, which motion prevailed.

House Joint Resolution No. 102 -- Memorials, Professional Achievement - Speaker Pro Tem Lois DeBerry, 100 Most Influential African Americans National Honoree Award. by *Rinks, *Naifeh, *Hargrove, *McDonald, *Garrett, *Jones U (Shelby), *Langster, *Ridgeway, *McMillan, *Fitzhugh, *White, *Sands, *Maddox, *West, *Bowers, *Fowlkes.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rinks, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes 98
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley,

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A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, notice was given that the following measure(s) from the Senate would be considered on March 13, 1997:

House Bill No. 316: by Rep. Rhinehart

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 32: Rep(s). Brooks, Bowers, Langster, Armstrong, Towns, Miller, Cooper, L. DeBerry, Pruitt, U. Jones, J. DeBerry and Turner (Shelby) as prime sponsor(s).

House Bill No. 908: Rep(s). Buck as prime sponsor(s).

House Bill No. 1758: Rep(s). Fraley as prime sponsor(s).

ENGROSSED BILLS
March 10, 1997

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 31, 187, 285, 344, 406, 459, 537 and 924, also, House Joint Resolution(s) No(s) 102.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 10, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 16, 50, 936 and 1498; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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***Senate Bill No. 16** -- Bail, Bail Bonds - Restricts bail bondsman continuing education requirement to person qualified as bondsman; changes date within which certificate of compliance for continuing education requirement must be filed from July 15, 1997 to January 1, 1998 Amends TCA Title 40, Chapter 11. by *Person.

***Senate Bill No. 50** -- Courts, General Sessions - Confers jurisdiction in domestic abuse cases to divisions 2 and 6 of general sessions courts in Shelby County. Amends TCA Title 36, Chapter 3, Part 6. by *Person, *Leatherwood, *Cohen, *Dixon, *Kyle.

Senate Bill No. 936 -- Uniform Commercial Code - Incorporates new definitions of "holder," "money," and "unauthorized"; restates provision for explicit reservation of rights regarding performance, promise to perform, or assent to perform. Amends TCA Section 47-1-201(20); Section 47-1-201(24); Section 47-1-201(43); Section 47-1-207 and Section 47-2-511(3). by *Miller J.

***Senate Bill No. 1498** -- Interior Designers - Validates and corrects references to "registered interior designer," which were implied amendments arising from enactment of Chapter 113 of Public Acts of 1995. Amends TCA Section 62-2-101; Section 62-2-105; Section 62-2-106; Section 62-2-201; Section 62-2-202; Section 62-2-203; Section 62-2-204; Section 62-2-301; Section 62-2-302; Section 62-2-304; Section 62-2-307; Section 62-2-308; Section 62-2-902 and Section 62-2-906. by *Crutchfield.

ENGROSSED BILLS
March 10, 1997

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 175, 796, 1436, 1864, 1879 and 1927, also, House Joint Resolution(s) No(s) 24, 88, 89, 95, 96, 97, 98 and 99.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96
Representatives present were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, March 13, 1996.